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Commission on Trade in Goods and Services, and Commodities
Fifth session
Geneva, 19-23 February 2001
Item 2 of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

I. PROVISIONAL AGENDA

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2. Adoption of the agenda and organization of work

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8. Adoption of the report of the Commission to the Trade and Development Board.

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. The Conference, at its tenth session, held from 12 to 19 February 2000 in Bangkok (Thailand), in considering the issue of UNCTAD's intergovernmental machinery, welcomed the document prepared by the UNCTAD secretariat entitled "Improving the functioning and the structure of the intergovernmental machinery of UNCTAD" (reissued in TD/B/EX(24)/L.1). The purpose behind the recommendations contained in that document was *inter alia* to enhance the status of the Commissions as policy-formulating organs and to strengthen the substantive linkages between expert meetings and Commissions. It was recommended that the Commissions' work should be informed by the technical advice of the experts, that the Commissions should place the results of expert meetings within the appropriate policy context and framework, and that, on the basis of the expert reports and their own policy dialogue, the Commissions should make recommendations on actions to be taken by member States, UNCTAD or other bodies.

2. To this end, the Commission will have before it the reports of the expert meetings held during the previous months, as well as documentation prepared by the secretariat identifying, and commenting on, the policy questions posed by the expert reports for discussion by the Commission. In this connection, the outcomes of the expert meetings were circulated by the secretariat to member States with a request for policy comments on the experts' recommendations. The responses of member States were taken into account in the preparation of the secretariat documentation for the Commission meeting. The task of the Commission is to conduct policy dialogue and make policy recommendations on the outcome of the expert meetings, taking into account the views from the capitals.

Item 1: Election of officers

3. In accordance with rule 18 of the rules of procedure of the main Committees of the Trade and Development Board, the Commission shall elect a Chairman, five Vice-Chairmen and a Rapporteur from among the representatives of its members, taking into account the need to ensure equitable geographical distribution. Rule 19 of the rules of procedure states that the Bureau of the Commission shall consist of seven members (i.e. four members from Lists A and C combined, two members from List B and one member from List D referred to in the annex to General Assembly resolution 1995 (XIX) as amended).

4. Accordingly, following the cycle of rotation established after UNCTAD X, the bureau for the fifth session of the Commission shall be as follows: Chairman from List A (Africa), Rapporteur from List B; and five Vice-Chairmen (3 from lists A and C combined, 1 from List B and 1 from List D).

Item 2: Adoption of the agenda and organization of work

5. The Consultations of the President on the Trade and Development Board approved on 31 March 2000 the agenda items for the fifth session of the Commission and the related expert meetings.

6. Concerning the organization of the work of the session, the Commission will have five days available to it. It is suggested that the agenda items be taken up sequentially, with the first plenary

meeting on Monday, 19 February, being devoted to procedural matters, introductory statements and the commencement of the discussion under item 3. The last plenary meeting, on Friday, 23 February, would be devoted to the formal action under items 3 - 8.

7. The secretariat will prepare a detailed programme for the session, which will be made available on the first day of the session.

Documentation

TD/B/COM.1/35	Provisional agenda and annotations

Item 3: Major agricultural concerns of developing countries: Impact of the reform process in agriculture on LDCs and net food importing developing countries and ways to address their concerns in multilateral trade negotiations

8. Under this item, the outcome of the expert meeting on the following four areas will be examined: (i) actions under the Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Process on Least-developed Countries and Net Food-Importing Developing Countries; (ii) negotiations on the continuation of the reform process in agriculture (market access, export competition policies, domestic support, special and differential treatment, non-trade concerns); (iii) other issues including coherence between Bretton Woods conditionality and the WTO commitments, and negotiations on accession to the WTO; and (iv) recommendations to UNCTAD and other international organization. The discussion will also provide an opportunity to identify, against the background of the ongoing multilateral trade negotiations on agriculture, major agricultural concerns of developing countries that require policy debate in the coming year(s).

Documentation

TD/B/COM.1/36	Note by the UNCTAD secretariat
TD/B/COM.1/31 TD/B/COM.1/EM.11/3	Report of the Expert Meeting on the Impact of the Reform Process in Agriculture on LDCs and Net Food-Importing Developing Countries and Ways to Address their Concerns in Multilateral Trade Negotiations.

Item 4: Analysis of ways to enhance the contribution of specific services sectors to the development perspectives of developing countries: National experiences with regulations and liberalization: examples in the construction services sector and its contribution to the development of developing countries

9. This item will help examine how the outcome of the expert meeting could be put into action so as to enhance the participation of developing countries in world trade in construction services. It will also provide an opportunity to consider a number of common problems facing developing countries and how implementation of effective strategies on capacity building by national Governments may

be supported by the action of international financial agencies and donors and during the ongoing multilateral negotiations on services. In this respect and in order to implement provisions of the GATS Article IV, negotiations on trade in services should address the issues of domestic regulations and technical standards, licensing and qualification requirements and procedures, restrictions on movement of persons, government procurement practices, tied aid, subsidies, and transfer of technology provisions. Furthermore, liberalization at the subregional level may be considered as the way to building export capacities in developing countries and integrating them into the world trade in services.

Documentation

TD/B/COM.1/37	Note by the UNCTAD secretariat
TD/B/COM.1/32 TD/B/COM.1/EM.12/3	Report of the Expert Meeting on National Experiences with Regulations and Liberalization: Examples in the Construction Services Sector and its Contribution to the Development of Developing Countries.

Item 5: The sustainable use of biological resources: Systems and national experiences for the protection of traditional knowledge, innovations and practices

10. This item will provide an opportunity to examine possible avenues for future action aimed at preserving, protecting and enhancing appropriate use of traditional knowledge, innovations and practices of indigenous and local communities (TK). The expected outcome is recommendations for actions to be taken by Governments at the national, regional and multilateral levels and by international agencies including UNCTAD to: (a) preserve TK and biodiversity; (b) ensure that the benefits of cumulative innovation associated with TK accrue to its holders and that use of TK is with their prior informed consent; (c) promote TK-based innovations; and (d) harness TK for trade and development. Particular attention will be given to considering possible elements of national *sui generis* systems for the protection of TK and to exploring minimum standards of a possible international *sui generis* framework. Capacity-building needs in different regions will also be highlighted, with special attention given to the least-developed countries.

Documentation

TD/B/COM.1/38	Note by the UNCTAD secretariat
TD/B/COM.1/33 TD/B/COM.1/EM.13/3	Report of the Expert Meeting on Systems and National Experiences for the Protection of Traditional Knowledge, Innovations and Practices.

Item 6: Analysis of market access issues facing developing countries: Impact of anti-dumping and countervailing actions

11. Under this agenda item the Commission will have before it the outcome of the Expert Meeting on the Impact of Anti-dumping and Countervailing Duty Actions. It is intended to provide an opportunity to examine current trends in the application of anti-dumping and countervailing measures, assess the adverse affects of these measures on trade, in particular that of developing countries, and review the implementation of the WTO agreements on anti-dumping and countervailing measures. Consideration will also be given to those main issues and areas being of identified as concern to developing countries. The discussion is expected to contribute to consensus-building on the impact of anti-dumping and countervailing duty actions with a view to improving the market access conditions of developing countries.

Documentation

TD/B/COM.1/39	Note by the UNCTAD secretariat
TD/B/COM.1/34 TD/B/COM.1/EM.14/3	Report of the Expert Meeting on the Impact of Anti-Dumping and Countervailing Actions.

Item 7: Other business

Item 8: Adoption of the report of the Commission to the Trade and Development Board

12. The report of the Commission on its fifth session will be submitted to the Trade and Development Board for consideration.

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